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**From:** Hoffer, Melissa [Hoffer.Melissa@epa.gov]  
**Sent:** 1/26/2021 5:52:13 PM  
**To:** Payne, James (Jim) [payne.james@epa.gov]  
**Subject:** RE: NEW LITIGATION: California Communities Against Toxics v. EPA, No. 20-1024 (DC Cir.)

Thanks.

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**From:** Payne, James (Jim) <payne.james@epa.gov>  
**Sent:** Monday, January 25, 2021 7:27 PM  
**To:** Hoffer, Melissa <Hoffer.Melissa@epa.gov>  
**Cc:** Anderson, Lea <anderson.lea@epa.gov>; OGC Immediate Office MGMT <OGC\_Immediate\_Office\_MGMT@epa.gov>; Srinivasan, Gautam <Srinivasan.Gautam@epa.gov>; Marks, Matthew <Marks.Matthew@epa.gov>; Jordan, Scott <Jordan.Scott@epa.gov>  
**Subject:** Re: NEW LITIGATION: California Communities Against Toxics v. EPA, No. 20-1024 (DC Cir.)

I've confirmed they're aware.

Sent from my iPhone

On Jan 25, 2021, at 6:46 PM, Hoffer, Melissa <[Hoffer.Melissa@epa.gov](mailto:Hoffer.Melissa@epa.gov)> wrote:

Jim, if we haven't already, can you let DOJ know.

Thanks,  
M

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**From:** Anderson, Lea <[anderson.lea@epa.gov](mailto:anderson.lea@epa.gov)>  
**Sent:** Monday, January 25, 2021 4:55 PM  
**To:** OGC Immediate Office MGMT <[OGC\\_Immediate\\_Office\\_MGMT@epa.gov](mailto:OGC_Immediate_Office_MGMT@epa.gov)>; OGC Immediate Office Support <[OGCFrontOfficeSupportStaff@epa.gov](mailto:OGCFrontOfficeSupportStaff@epa.gov)>  
**Cc:** Srinivasan, Gautam <[Srinivasan.Gautam@epa.gov](mailto:Srinivasan.Gautam@epa.gov)>; Marks, Matthew <[Marks.Matthew@epa.gov](mailto:Marks.Matthew@epa.gov)>; Jordan, Scott <[Jordan.Scott@epa.gov](mailto:Jordan.Scott@epa.gov)>  
**Subject:** RE: NEW LITIGATION: California Communities Against Toxics v. EPA, No. 20-1024 (DC Cir.)

With the case this time...

Lea Anderson  
(202) 564-5571

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**From:** Anderson, Lea  
**Sent:** Monday, January 25, 2021 2:03 PM  
**To:** OGC Immediate Office MGMT <[OGC\\_Immediate\\_Office\\_MGMT@epa.gov](mailto:OGC_Immediate_Office_MGMT@epa.gov)>; OGC Immediate Office Support <[OGCFrontOfficeSupportStaff@epa.gov](mailto:OGCFrontOfficeSupportStaff@epa.gov)>  
**Cc:** Srinivasan, Gautam <[Srinivasan.Gautam@epa.gov](mailto:Srinivasan.Gautam@epa.gov)>; Marks, Matthew <[marks.matthew@epa.gov](mailto:marks.matthew@epa.gov)>; Jordan, Scott <[Jordan.Scott@epa.gov](mailto:Jordan.Scott@epa.gov)>  
**Subject:** NEW LITIGATION: California Communities Against Toxics v. EPA, No. 20-1024 (DC Cir.)

We received notice today of a case filed on January 15, 2021 by a number of environmental groups. The challenge is to the MM2A rule ("Reclassification of Major Sources as Area Sources Under Section 112 of the Clean Air Act," 85 Fed. Reg. 73854 (November 19, 2020)). The rule challenged here is one of the EPA rules identified by the Biden Administration as an agency action to be reviewed.

Note that the case caption on the attached petition has a typo stating case number as "20-1024."

Scott Jordan is the staff attorney handling this case.

**Lea Anderson** | Assistant General Counsel for the Air Toxics, Consumer Products and Indoor Air Group |  
US EPA | Office of General Counsel | Air and Radiation Law Office | phone: (202) 564-5571